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October 25, 2023

VIA ECF

The Honorable Edgardo Ramos
United States District Court, Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Esperion Therapeutics, Inc. v. Daiichi Sankyo Europe GmbH*, 23-cv-02568 (S.D.N.Y.)

Dear Judge Ramos:

On behalf of Plaintiff Esperion Therapeutics, Inc., we respectfully write pursuant to Section 2.D of the Court's Individual Practices. Today we filed the motion for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c) (the "Motion") that the Court granted leave to file at the pre-motion conference on October 18, 2023. *See* October 18, 2023 Minute Entry. The Motion will be fully briefed on November 22, 2023. *Id.*

We respectfully request that the Court schedule oral argument on the Motion as soon as convenient after November 22 in light of the exigencies addressed at the prior hearing and as set forth in the memorandum of law in support of the Motion.

We thank the Court for its consideration.

Respectfully,



Orin Snyder

Cc: All counsel of record (via ECF)